

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

**GERALD A. FAST, et. al.,**

**Plaintiff,**

**v.**

**APPLEBEE'S INTERNATIONAL, INC  
d/b/a APPLEBEE'S NEIGHBORHOOD  
GRILL & BAR**

**Defendant.**

**CASE NO. 06-4146-CV-C-NKL**

**PLAINTIFFS' MOTION FOR LEAVE TO FILE  
SUGGESTIONS IN OPPOSITION TO DEFENDANT'S MOTION  
TO DECERTIFY IN EXCESS OF 15 PAGES**

Come Now, Plaintiffs, by and through counsel, and respectfully request this Court for leave to file Suggestions in Opposition to Defendant's Motion to Decertify in excess of fifteen pages and states as follows:

Defendant Applebee's filed a Motion to Decertify this Fair Labor Standards Act collective action. In support of its Motion, Applebee's filed suggestions in support that were thirty three pages in length and attached numerous exhibits in support of its Motion. Plaintiffs cannot adequately address the arguments raised by Applebee's in fifteen pages. Accordingly, plaintiffs respectfully request the Court leave to file their Suggestions in Opposition to Applebee's Motion in excess of fifteen pages and not to exceed thirty-seven (37) pages as permitted by Local Rule 7.1 (f).

WHEREFORE, plaintiffs respectfully pray for an Order allowing them to file Suggestions in Opposition to Defendant's Motion to Decertify Class in excess of fifteen (15) pages but not exceed thirty-seven (37) pages.

/s/ Matthew A. Clement  
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CARSON & COIL, P. C.

/s/Charles A. Gentry  
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ATTORNEYS FOR PLAINTIFFS

**CERTIFICATE OF SERVICE**

I hereby certify that on the 17th day of February 2009, I have caused a true copy of the above document to be filed electronically with the Clerk of the Court using the CM/ECF system which sent notification of such file to Daniel B. Boatright and S. Jane Bruer of Spencer, Fane, Britt & Browne, LLP, 100 Walnut, Suite 1400, Kansas City, Missouri 64106, attorneys for defendant.

/s/ Matthew A. Clement